

REMARKS

Reconsideration of this application is respectfully requested.

The specification and drawings have been amended to more clearly disclose the fastener, in the manner requested by the Examiner. The fact that "dual lock" was known prior to the filing of this application is shown by U.S. Trademark Registration No.: 1,473,146 (copy enclosed) which indicates that "dual lock" was first in use in commerce in December 1978. For the convenience of the Examiner, a copy of the registration is enclosed herewith as Exhibit A. Also enclosed herewith is a copy of a website for "dual lock" General Purpose Reclosable Fasteners. The copy of the website was made on or about June 23, 2003 which is prior to the filing date of the present application.

In regard to the claims, the allowance of claims 53 through 64 is noted with appreciation.

Claim 46 was indicated as being allowable if rewritten in independent form. Claim 46 has been rewritten in independent form as claim 80. Claims 81 through 90 depend from claim 80 and define over the prior art for substantially the same reasons as does claim 80 and by virtue of the structure and function set forth in claims 81 through 90 taken in combination with the structure and function of claims 80. Therefore, it is believed that these claims are in condition for allowance.

Claim 48 was indicated as being allowable if rewritten in independent form. Claim 48 has been rewritten in independent form as claim 91. Claims 92 through 95 depend from claim 91 and define over the prior art for substantially the same reasons as does claim 91 and by virtue of the structure and function set forth in claims 92

through 94 taken in combination with the structure and function of claim 91. Therefore, it is believed that these claims are in condition for allowance.

Claim 77 was indicated as being allowable if rewritten in independent form.

Claim 77 has been rewritten in independent form as claim 95. Claim 96 depends from claim 95 and defines over the prior art for substantially the same reasons as does claim 95 and by virtue of the structure and function set forth in claim 96 taken in combination with the structure and function of claim 95. Therefore, it is believed that these claims are in condition for allowance.

Claim 97 is directed to a portable electrical device which includes a housing and a cord retainer. The cord retainer includes a flange which is fixedly connected with a housing in which at least partially defines a groove disposed between the flange and the housing. The cord may be manually wound into the groove. The flange is spaced apart from the housing and includes a plurality of spaced apart recesses formed in a peripheral portion of the flange. An end portion of the cord is positionable in any one of a plurality of recesses to connect the cord with the flange at any one of a plurality of locations along the peripheral portion of the flange. A wound portion of the cord is disposed in the groove between the flange and the housing.

Claim 97 defines over the prior art, and particularly the patent to Reardon, et al. (6,698,560) and Vara (6,164,582) by setting forth a plurality of spaced apart recesses formed in a flange which at least partially defines a groove into which a cord may be manually wound. The groove is disposed between the flange and the housing. The flange is spaced apart from the housing. A wound portion of the cord is disposed in the groove between the flange and the housing.

In the patent to Vara, notches 18 and 20 are disposed in a flange which is adjacent to a housing or handle 74 (Fig. 3) of a portable electrical device, specifically, a hair dryer 72. Since the notches 18 and 20 are disposed in a flange which is disposed adjacent to the electrical device, it is difficult to connect and disconnect the end 70b of the cord 70 from the flange when the flange is connected to the electrical device (see Fig. 2c and Fig. 3 of Vara).

By having a plurality of recesses along the peripheral portion of the flange, in the manner set forth in claim 97, at least two advantages are obtained over the prior art. These advantages are:

- (1) cords of different lengths can be wound in the groove and anchored with a minimal length of the cord outside the groove, and
- (2) the length of cord extending from the flange to a connecting location, such as an ear plug, can be readily adjusted to a desired length.

Claims 98 through 104 depend from claim 97 and define over the prior art for substantially the same reasons as does claim 97. Specifically, claim 98 sets forth the base and flange as being integrally formed as one piece. The cord retainer has a second flange which at least partially defines the groove into which the cord may be manually wound. The second flange is integrally formed as one piece with a base.

Claim 99 depends from claim 97 and sets forth the groove as having an oval cross sectional configuration. It is clear that the groove of Vara does not have an oval configuration.

Claim 100 depends from claim 97 and sets forth a cord retainer as having a second flange which at least partially defines the groove into which the cord is manually wound.

Claim 101 depends from claim 97 and sets forth the cord retainer as including a fastener which fixedly secures the cord retainer to one side of the housing with the groove disposed between the flange and the housing. Thus, the groove is set forth in claim 101 as being disposed between the flange in which the recesses are formed and the housing.

Claim 102 depends from claim 97 and sets forth the housing as including a surface area which cooperates with the flange to further define the groove into which the cord is manually wound.

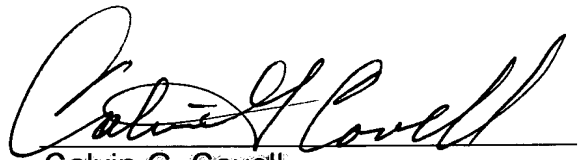
Claim 103 depends from claim 97 and sets forth the cord retainer as being integrally formed as one piece with at least a portion of the housing.

Claim 104 depends from claim 97 and sets forth a cord retainer as being formed separately from the housing and as being connected with the housing by a reclosable fastener.

In view of the foregoing remarks, it is believed that the claims in this application are in condition for allowance. Therefore, it is respectfully requested that the claims be allowed and this application passed to issue.

If for any reason the Examiner believes that a telephone conference would expedite the prosecution of this application, it is respectfully requested that the Examiner contact applicant's attorneys in Cleveland, Ohio at 621-2234, area code 216. Please charge any deficiency in the fees for this application to our Deposit Account No. 20-0090.

Respectfully submitted,



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Typed Drawing**Word Mark** DUAL LOCK

Goods and Services IC 017. US 005 050. G & S: RECLOSABLE ADHESIVE-BACKED FLEXIBLE FASTENERS CONSISTING OF CONTINUOUS PLASTIC STRIPS WITH FIELDS OF MUSHROOM-SHAPED PLASTIC HEADS WHICH TIGHTLY INTERLOCK WHEN PRESSED TOGETHER, FOR MULTIPLE FASTENING USES. FIRST USE: 19781231. FIRST USE IN COMMERCE: 19781231

Mark Drawing Code (1) TYPED DRAWING**Serial Number** 73619083**Filing Date** September 10, 1986**Published for Opposition** October 27, 1987**Registration Number** 1473146**Registration Date** January 19, 1988**Owner** (REGISTRANT) MINNESOTA MINING AND MANUFACTURING COMPANY AKA 3M CORPORATION DELAWARE 3M CENTER SAINT PAUL MINNESOTA 55144**Attorney of Record** CHARLES H. LAUDER**Type of Mark** TRADEMARK**Register** PRINCIPAL**Affidavit Text** SECT 15. SECT 8 (6-YR).**Live/Dead Indicator** LIVE**EXHIBIT A**

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Dual Lockâ„¢ General Purpose P/S Reclosabl Fasteners

General purpose fastener with pressure sensitive rubber adhesive that bonds to most surfaces.

Additional Information

When attached to metal test panels has passed F.A.R. 25.853 (b-2), (b-3), and FMVSS 302. Temperature range is -29 degrees C / -20 degrees F to 49 degrees C / 120 degrees F continuous, to 70 degrees C / 158 degrees F intermittent.

Make a Selection



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 170 SJ3542 Black, 1 in x yd, 2 per case

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 170 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness.



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 170 SJ3542 Black, 1/2 in 50 yd, 4 per case

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 170 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 170 SJ3542 Black, 2 in x yd, 1 per case

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 170 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 170 SJ3542 Black, 3/4 in 50 yd, 2 per case

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 170 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 170 SJ3542 Black, 4 in x yd, 1 per case

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 170 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness



3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 250 SJ3540 Black, 1 in x

EXHIBIT B

By Keyword

Go

**yd, 2 per case**

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 250 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 250 SJ3540 Black, 1/2 in 50 yd, 4 per case**

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 250 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 250 SJ3540 Black, 2 in x yd, 1 per case**

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 250 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 250 SJ3540 Black, 4 in x yd, 1 per case**

Black, polypropylene reclosable fastener, rubber based pressure sensitive adhesive 250 stems per square inch, black foam adhesive and white polyethylene film liner, bonds well to high density polypropylene and polyethylene, 230 mil engaged thickness

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 400 SJ3541 Black, 1 in x yd, 2 per case**

Rubber based 720 PSA with type 400, black foam adhesive and white polyethylene film liner. Temperature and solvent resistant, high shear adhesion, high HSE and LS 230 mil engaged thickness and 400 stems per square in.

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 400 SJ3541 Black, 1/2 in 50 yd, 4 per case**

Rubber Based 720 PSA with Type 400, Black Foam Adhesive and White Polyethylene Film Liner. Temperature and Solvent Resistant, High Shear Adhesion, High HSE and LSE. 230 mil Engaged Thickness and 400 Stems per Square in.

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 400 SJ3541 Black, 2 in x yd, 1 per case**

Rubber Based 720 PSA with Type 400, Black Foam Adhesive and White Polyethylene Film Liner. Temperature and Solvent Resistant, High Shear Adhesion, High HSE and LSE. 230 mil Engaged Thickness and 400 Stems per Square in.

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 400 SJ3541 Black, 3/4 in 50 yd, 2 per case**

Rubber Based 720 PSA with Type 400, Black Foam Adhesive and White Polyethylene Film Liner. Temperature and Solvent Resistant, High Shear Adhesion, High HSE and LSE. 230 mil Engaged Thickness and 400 Stems per Square in.

**3Mâ„¢ Dual Lockâ„¢ Reclosable Fastener 400 SJ3541 Black, 4 in x yd, 1 per case**

Rubber Based 720 PSA with Type 400, Black Foam Adhesive and White Polyethylene Film Liner. Temperature and Solvent Resistant, High Shear Adhesion, High HSE and LSE. 230 mil Engaged Thickness and 400 Stems per Square in.

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